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Contacts - 9  
Ins - 2  
Outs - 111

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## JOURNAL

### OFFICE OF LEGISLATIVE COUNSEL

Monday - 9 May 1977

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1. [ ] EMPLOYMENT REQUEST Per their request, I mailed Agency brochures and an application form to the office of State Senator Joseph Hirkla in Passaic, New Jersey. This request was made on behalf of a constituent.

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2. [ ] BRIEFING I called Caroleen Silver, in the office of Senator Pete V. Domenici (R., N. Mex.), to confirm the briefing on Zaire scheduled for tomorrow morning at 8:30 a.m. She mentioned that Senators Henry Bellmon (R., Okla.) and Harrison R. Schmitt (R., N. Mex.) would also be in attendance and that Senator James A. McClure (R., Idaho) may join them a little later. She said the briefing would take place in Room 405 of the Russell Senate Office Building.

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3. [ ] LIAISON David Swanson, House Ad Hoc Committee on Energy staff, called and said they were having hearings next week and would like 40 copies each of the two energy studies for the members of the Committee and an extra 10 copies each for their general use. This morning I sent Swanson 50 copies each of the Agency publications entitled, "The International Energy Situation: Outlook to 1985," and "Prospects for Soviet Oil Production."

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4. [ ] LIAISON Called Charles Snodgrass, House Appropriations Committee staff, and James Fellenbaum, Senate Appropriations Committee staff, to brief them on the fire in the Intelligence Community Headquarters Building, which occurred Saturday, 7 May 1977.

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5. [ ] LIAISON Talked to James Fellenbaum, Senate Appropriations Committee staff, regarding the letter of 29 April 1977, from Senator John L. McClellan (D., Ark.), regarding Intelligence Community staff personnel strength. I arranged a meeting with Fellenbaum, myself, and John McMahon, AD/DCI/IC, at the Community Headquarters Building for Tuesday, 10 May 1977, at 1:30 p.m., to clarify issues. Fellenbaum was agreeable to this course of action. In addition, I suggested that Fellenbaum take a tour of the Community Headquarters Building at this time.

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6. [ ] LIAISON Talked to Col. Steve Harrick, Department of Defense, regarding an introductory meeting with [ ] D/DCI/IC, and John McMahon, AD/DCI/IC. The meeting is scheduled for 2:00 p.m., Friday, 13 May 1977.

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7. [ ] LIAISON I changed arrangements with (Grant) Wayne Smith, of the House Merchant Marine and Fisheries Subcommittee on Oceanography, to have him review a classified document at Headquarters--when he comes to have lunch soon with [ ] OLC--instead of getting it to him on the Hill on 12 May.

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8. [ ] LIAISON At the request of [ ] ORPA/South America, I called the State Department Office for Congressional Relations, to request a copy of the letter the State Department sent to the office of Senator Jacob Javits (R., N. Y.) on the subject of support for terrorists by Libya, Iraq, South Yemen, and Somalia. The Washington Post of 9 May carried an item reporting that the letter had been made public. I was advised that the letter would be sent over on 10 May.

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9. [ ] LEGISLATION Talked with Hilda Schreiber, OMB, concerning language for the report on H. R. 10, a bill to remove Hatch Act restrictions from Federal employees. I read her the revised language we had decided on and told her that we were still waiting for coordination from DOD and NSA and that I would get back to her Tuesday morning.

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10. [ ] LEGISLATION Talked with [ ] NSA, concerning the report to accompany H. R. 10. He said that the General Counsel saw no reason why NSA employees should be treated different from other Civil Service employees and that NSA could not concur in the language.

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12. [ ] LIAISON Called Frank Sullivan, Chief Counsel, Senate Armed Services Committee, to inquire as to the purpose of Chairman Harry F. Byrd's (Indep., Va.), Senate Armed Services Subcommittee on Intelligence, meeting with the Director set for 11:30 a.m., 10 May. Sullivan said that there were no pending items before the Subcommittee and therefore feels that the Senator wants to meet informally with the Director to discuss his relationship as Chairman with the Agency. This information was passed to Mr. Cary who will inform the Director.

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13. [ ] LIAISON Called Dona Miskell, of the Face-to-Face Program, and told her that Mr. Cary would not be able to accept their invitation to the dinner and foreign policy discussion at which Mr. Pat Holt, formerly of the Senate Foreign Relations Committee staff, would be the speaker. Ms. Miskell thanked me for calling.

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17. [ ] LIAISON Informed Anne Karalekas, Senate Select Committee on Intelligence staff, that the DDO material she requested on the 1974 oil embargo was now available for her review. Karalekas said she would call me later this week to set up a firm time for her to examine it.

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18. [ ] ADMINISTRATIVE - DELIVERIES Delivered to Audrey Hatry for Bill Miller, Staff Director, Senate Select Committee on Intelligence, a memorandum from George L. Cary regarding an investigation by the Senate Foreign Relations Subcommittee on International Relations; a letter from Robert Gambino, Director of Security, regarding clearances for six Committee employees; a blind memorandum regarding [ ] and interim responses to the Committee's requests on the use of Section 7 of the Central Intelligence Agency Act, and allegations

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20. [ ] LIAISON Paula Schwartz, Senate Select Committee on Intelligence staff, asked me for another copy of the classified study on The Impending Soviet Oil Crisis.

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21. [ ] ADMINISTRATIVE - DELIVERIES Delivered to Barbara Chesnik, Senate Select Committee on Intelligence staff, copies of recent FOIA court decisions where the Director's sources and methods authority was tested.

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23. [ ] ADMINISTRATIVE - DELIVERIES Delivered to Tom Moore, Senate Select Committee on Intelligence staff, copies of the unclassified studies on The International Energy Situation: Outlook to 1985 and Prospects for Soviet Oil Production.

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24. [ ] LIAISON Met with David Bushong, who will be Senator James B. Pearson's (R., Kans.) designee on the Senate Select Committee on Intelligence. I told Bushong I would be glad to arrange orientation briefings on CIA for him, and he appeared very anxious to receive them. I mentioned that there might be other staff members interested and later in the day, Martha MacDonald, of the Committee staff, informed me that Ed Levine and John Ellif, also of the Committee staff, were also interested. I agreed to try to set these briefings up for the week of 16 May.

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26. [ ] LIAISON Received a call from Joe Kirchheimer, a consultant to the Senate Select Committee on Intelligence, who asked if he could see a list of OER reports from 1972 to 1975. I told him I believe I already had such a list and I would be glad to show it to him.

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27. [ ] LIAISON Met with Mark Gitenstein, Senate Select Committee on Intelligence staff, as a follow up to his meeting with Robert Gambino, Director of Security, on 6 May. Gitenstein reiterated requests, which he apparently made during the meeting, for access to a "leak data-base", for a meeting with Eloise Page, DDO, to discuss security bigot lists, for copies of correspondence between the Department of Justice and the Agency on respective responsibilities for leak investigations, for access to any CIA regulations pertaining to the use of compartmented information, for the damage assessment on the Boyce-Lee and Moore espionage cases, and for additional information on security practices of Government contractors. Gitenstein also said he wanted to set up a briefing for members of the Subcommittee on Secrecy and Disclosure on Government security problems but wanted to meet with Mr. Robert Gambino, Director of Security, before making plans for such a meeting.

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29. [ ] LIAISON Met with Norvill Jones, Staff Director, Senate Foreign Relations Committee, and discussed the recent letter from Senator Dick Clark (D., Iowa) requesting information on Agency activities with respect to mercenaries. I told him that while we had no such activities, we wanted to avoid if possible, a formal response to Senator Clark since it was our practice not to comment on press allegations like the ones which spawned Senator Clark's request. I explained to Jones this would be in

[ ]  
He said he would handle the matter directly with Senator Clark and until we heard further, no written response would be necessary.

I noted briefly our problems with the House version of the Arms Control and Disarmament Agency authorization bill and he suggested we work with Bill Ashworth, Senate Foreign Relations Committee staff.

I also went over with Jones the transcripts of the briefings [ ]  
[ ] and obtained his approval for excisions of parts that caused us problems.

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30. [ ] BRIEFING Mike Van Dusen, House International Relations Subcommittee on Europe and the Middle East staff, called requesting update briefings on the political and military situation in Europe and the Middle East. The briefing would be in executive session with no transcript. I told him I would see if something could be set up.

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31. [ ] LIAISON Spoke with Sam Hoskinson, NSC, and explained to him what had been reported to the Senate Select Committee on Intelligence with respect to the Special Coordinating Committee (SCC) review of covert action and explained to him what had been reported to the Select Committee with respect to the SCC. Hoskinson asked that we forward to him a report on the update briefing, similar to reports which we file after briefings on covert action findings. I told him I would forward one to him.

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32. [ ] LIAISON Called Jack Brady, House International Relations Committee staff, and asked about the status of Committee deliberations with respect to covert action reporting. He said the Committee had been so involved in mark-up that Chairman Clement Zablocki (D., Wis.) had not had a chance to focus on the matter. I told him I just wanted to let him know that we were still ready and willing to brief the Committee whenever procedures were resolved.

I also asked Brady if he would request an update of his background investigation in order to comply with standards set for compartmented access clearances. I also asked him to do the same for Ivo Spalatin, of the Committee staff, since no update had been done in either case in the last five years.

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33. [ ] LIAISON Called Bill Ashworth, Senate Foreign Relations Committee staff, to get information with respect to the Arms Control and Disarmament Agency authorization bill. He said the Senate has its own bill which has been marked-up by the Subcommittee and was to be marked-up in the full Committee on 11 May. He said that no amendments were in the "mill" as far as he knew which would parallel the Derwinski floor amendment to the House version of the bill. Ashworth said he thought the Derwinski amendment was a bad idea and would be opposed to its inclusion in the final version. He asked that we keep in touch with him if we develop any information to the contrary.

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34. [ ] LIAISON [ ] DIA, called to report that DIA's Director, General Samuel V. Wilson, had received a letter from Senator George S. McGovern (D., S. Dak.) on the Foreign Agents Registration Act hearings; Secretary of Defense Harold Brown had received a letter from Senator William W. Proxmire (D., Wis.) on the Aviation Week article; Chairman Jack Brooks' (D., Texas) Subcommittee on Legislation and National Security of the House Government Operations Committee has requested a briefing, probably next week on Warsaw Pact; and to discuss the question of compartmented clearances for Dick Kaufman, on the staff of the Joint Economic Committee, in connection with the upcoming May hearings with CIA and DIA.

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35. [ ] LIAISON Called Bob Turner, on the staff of Senator Robert P. Griffin (R., Mich.), concerning the Derwinski Amendment to the Arms Control and Disarmament Agency authorization bill calling for certification on verification. I explained that we did not want to become involved in this issue but we were concerned because of floor statements and newspaper interpretation that the amendment may be viewed as requiring extensive reporting to "appropriate committees" of the Congress on the techniques of verification, that is, sources and methods, and on identity of personnel involved in the process. Turner said he had drafted an amendment for Representative Edward J. Derwinski (R., Ill.) which he thought would have favorably resolved the problems I had raised, but that it had not been used. He was quite sure that Senator Griffin would be most understanding of our needs and would support language in the Senate Foreign Relations Committee report if the amendment is added in Committee or during the floor debate to take care of our problems. Per Turner, the strategy is not to move for the amendment in Committee but rather for an identical amendment on the Senate floor in the interest of assuring that the conferees could not modify the Derwinski language. He promised to keep us apprised.

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GEORGE L. CARY  
Legislative Counsel

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cc: DDCI [ ] Ex. Sec. DDI DDA DDS&T Mr. Lapham  
Mr. Hetu SA/DO/O IC Staff Comptroller NIO

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## ADDENDUM TO JOURNAL

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2. [ ] LEGISLATION Talked to Tom Smeeton, Minority staff member, House International Relations Committee, concerning the so-called Derwinski amendment to the ACDA Authorization bill. I expressed some of our reservations and concerns about this amendment, at least to the speculation concerning it in the press and elsewhere as it related to the responsibilities of the Director with respect to national means of verification and possible exposure of the identities of CIA analysts. (See Memorandum for the Record.)

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5. [ ] LIAISON Talked at some length with Sam Hoskinson, NSC staff, regarding preparations for the President's meetings with Speaker of the House Thomas O'Neill (D., Mass.) on Thursday and with the Senate Select Committee on Intelligence.

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[ ]  
GEORGE L. CARY  
Legislative Counsel

cc:  
DDCI

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[ ]  
Ex. Sec.  
DDI DDA DDS&T  
Mr. Lapham  
Mr. Hetu  
SA/DO/O  
IC Staff  
Comptroller  
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